

In Re: Certaineed Corp. Roofing Shingle Products Liability Litigation : MDL DOCKET NO. 1817

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On April 21, 2010, objecting class members filed an emergency motion (Docket No. 133) to unseal plaintiff's April 1, 2008 class certification memorandum and the accompanying exhibits. The court, on April 22, 2010, in Docket No. 134, conditionally granted objecting plaintiffs' motion subject to the conditions set forth in Arlene Fickler's letter, dated April 21, 2010, to James Capretz . On April 28, 2010, the objectors filed a motion for reconsideration of the court's order.

“[A] judgment may be altered or amended if the party seeking reconsideration shows at least one of the following grounds: (1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court granted the motion for summary judgment; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.” Objectors submit that reconsideration is warranted to prevent manifest injustice. Objectors have not met their burden to show that manifest injustice is present in this case; the court’s order permits the unsealing of the relevant documents so

long as objectors comply with the terms of confidentiality set forth in Ms. Fickler's letter.

ACCORDINGLY, on this \_\_\_\_5\_\_\_\_ day of May, 2010, it is ORDERED that  
objecting class members' motion for reconsideration (Docket No. 145) of the court's  
April 22, 2010 Order (Docket No. 134) will be DENIED.

BY THE COURT:

/s/ LHP  
Pollak, J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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This document relates to: :  
*All Cases* :  
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**ORDER**

AND NOW, this \_5\_ day of May, 2010, it is ORDERED that plaintiff Board of Directors of the Lake Katherine Townhome Association, Inc.'s motion to unseal the class certification memorandum and accompanying exhibits (Docket No. 146) will be GRANTED subject to the conditions set forth in Arlene Fickler's letter to James T. Capretz dated April 21, 2010. Counsel are directed to prepare, jointly, a proposed order to this effect.

BY THE COURT:

/s/ LHP  
Pollak, J.